

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BENJAMIN MOORE & CO., a New Jersey corporation,)	
)	
Plaintiff,)	
)	Case No.
v.)	FILED: JUNE 9, 2008
)	08CV3307
PATHMANN PAINT CORPORATION, an Illinois corporation,)	JUDGE LINDBERG
)	MAGISTRATE JUDGE ASHMAN
Defendant.)	
)	PH

**COMPLAINT FOR BREACH OF
CONTRACT AND ACCOUNT STATED**

Plaintiff, Benjamin Moore & Co., a New Jersey corporation ("Benjamin Moore"), by and through its attorneys, Bryan I. Schwartz, Gary I. Blackman and Adam Rome with Levenfeld Pearlstein, LLC, and with its complaint as to defendant, Pathmann Paint Corporation, an Illinois corporation ("Pathmann"), states as follows:

Nature of Case

This is an action by Benjamin Moore, a New Jersey corporation against Pathmann, one of Plaintiff's customers, for Breach of Contract and Account Stated related to Pathmann's relationship as an authorized retailer for the sale of Benjamin Moore paint and related paint products.

Parties

1. Benjamin Moore is a New Jersey corporation with its principal place of business in Montvale, New Jersey and is qualified to do business in the State of Illinois.
2. Pathmann is an Illinois corporation with its principal place of business in Palatine, Illinois.

Jurisdiction and Venue

3. This court has jurisdiction over the subject matter of this claim pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship between the Plaintiff and Defendant and the amount in controversy exceeds \$75,000 exclusive of costs.

4. Venue is proper in this district under 28 U.S.C. § 1391(a)(2) because a substantial part of the events giving rise to the claims asserted herein arose in this district.

Factual Allegations

5. Benjamin Moore is a nationwide leader in the sale of paint and paint products.

6. Since prior to 2003, Benjamin Moore has supplied paint and paint products to Pathmann.

7. Pathmann was an authorized retailer of Benjamin Moore during the term of this relationship. Pathmann would order paint and paint products pursuant to purchase orders on the terms: 2%, 10th Prox., Net Next Statement.

8. Pathmann has repeatedly failed to make payment after repeated demands for payment by Benjamin Moore.

9. As a proximate result of Pathmann's failure to pay such purchase orders, Benjamin Moore has been monetarily damaged in the amount of \$614,025.22.

10. Benjamin Moore has complied with all obligations agreed to between the parties.

COUNT I

(Breach of Contract)

11. Plaintiff realleges and incorporates paragraphs 1 through 10 of this Complaint as paragraphs 1 through 10 of this Count I.

12. Pathmann was required to make payments to Benjamin Moore pursuant to purchase orders it initiated for paint and paint products. A copy of the most recent monthly statement is attached hereto as Exhibit 1 and made a part hereof.

13. Pathmann has refused to make payments to Benjamin Moore.

WHEREFORE, Benjamin Moore respectfully requests that this Court enter a judgment in its favor and against Pathmann in the amount of \$614,025.22 as of April 21, 2008 and for any charges that occur thereafter or for such other and further relief as this Court deems just and proper.

COUNT II

(Account Stated)

14. Plaintiff realleges and incorporates paragraphs 1 through 12 of this Complaint as paragraphs 1 through 12 of this Count II.

15. Benjamin Moore provided paint and paint products to Pathmann.

16. Benjamin Moore submitted invoices for purchase orders after delivery of paint and paint products to Pathmann. A copy of the recent summary statement of invoices (the "Statement") submitted to Pathmann is attached hereto as Exhibit 2 and made a part hereof.

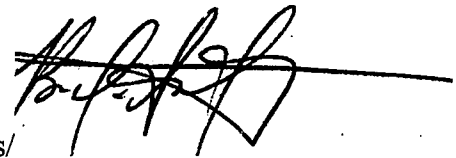
17. Pathmann received and retained each of the purchase orders and the products pertaining thereto without any objection as to the quality or delivery of the products and has accepted such products.

18. Pathmann refuses to pay and the balance due and owing under the Statement is \$614,025.22 as of April 21, 2008 and for any charges that occur thereafter.

WHEREFORE, Benjamin Moore respectfully requests that this Court enter a judgment in its favor and against Pathmann in the amount of \$614,025.22 as of April 21, 2008 and for any charges that occur thereafter or for such other and further relief as this Court deems just and proper.

BENJAMIN MOORE & CO.

By: /s/

A handwritten signature in black ink, appearing to read 'Bryan I. Schwartz', is written over a horizontal line.

Bryan I. Schwartz
One of its attorneys

Bryan I. Schwartz (ARDC #6192739)
Gary I. Blackman (ARDC # 6187914)
Adam Rome (ARDC # 6278341)
LEVENFELD PEARLSTEIN, LLC
2 North LaSalle, Suite 1300
Chicago, IL 60602
T: 312-346-8380
F: 312-346-8434
bschwartz@lplegal.com
gblackman@lplegal.com
arome@lplegal.com

EXHIBIT 1



Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
Page 1	

SOLD TO :
PATHMANN PAINT CORP
254 N NORTHWEST HIGHWAY
PALATINE, IL 60067 5392

REMIT TO:
BENJAMIN MOORE & CO.
CHICAGO AREA
23966 NETWORK PLACE
CHICAGO, IL 60673-1239

MONTHLY STATEMENT

STATEMENT SUMMARY						
Previous Balance	Payments Received	Discounts Earned	Balance Forward	New Charges	New Credits	Balance Due
606,837.91	.00	.00	606,837.91	7,187.31	.00	614,025.22

AGING SUMMARY						
CURRENT			PAST DUE			TOTAL
Discountable	Net	Dating	1 to 30 Days	31 to 60 Days	61+ Days	DUE
.00	121,765.43	.00	1,087.75-	17,883.73	475,463.81	614,025.22

Statement Date	Customer number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	

REMITTANCE SUMMARY

REMIT TO:

BENJAMIN MOORE & CO.
CHICAGO AREA
23966 NETWORK PLACE
CHICAGO, IL 60673-1239

PAYMENT METHOD DATE	PAYMENT AMOUNT	
	CHECK NUMBER	
	CHECK DATE	

EXHIBIT 2



Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 2

MONTHLY ACTIVITY								
Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by	5/10/08	
9/21/05	*INT63614		NET	1,831.52				1,831.52
11/21/05	*INT64403		NET	2,356.18				2,356.18
11/22/05	28034994100		PASTDUE	3,052.14				3,052.14
11/22/05	28034994700		PASTDUE	146.06				146.06
11/29/05	28035097300		PASTDUE	3,526.67				3,526.67
11/29/05	28035107600		PASTDUE	42.20				42.20
11/29/05	28035113100		PASTDUE	713.60				713.60
12/01/05	28035153000		PASTDUE	1,488.96				1,488.96
12/01/05	28035166700		PASTDUE	4,084.41				4,084.41
12/06/05	28035228000		PASTDUE	1,046.90				1,046.90
12/08/05	28035282300		PASTDUE	2,758.22				2,758.22
12/08/05	28035303800		PASTDUE	431.61				431.61
12/13/05	28035363100		PASTDUE	2,559.55				2,559.55
12/13/05	28035365500		PASTDUE	168.18				168.18
12/13/05	28035367600		PASTDUE	76.02				76.02
12/15/05	28035413500		PASTDUE	1,314.72				1,314.72
12/15/05	28035436900		PASTDUE	2,160.40				2,160.40
12/21/05	*INT64819		NET	907.70				907.70
12/22/05	28035527200		PASTDUE	1,487.56				1,487.56
12/22/05	28035537300		PASTDUE	174.53				174.53
12/23/05	28035552600		PASTDUE	3,151.54				3,151.54
12/27/05	28035559900		PASTDUE	458.24				458.24
12/28/05	28035593000		PASTDUE	3,945.02				3,945.02
1/03/06	28035650300		PASTDUE	2,709.36				2,709.36
5/30/06	*UD280380629		PASTDUE	5,281.81				5,281.81
6/21/06	*INT67305		NET	1,131.34				1,131.34
7/21/06	*INT67727		NET	1,078.38				1,078.38
9/21/06	*INT68566		NET	1,438.78				1,438.78
10/21/06	*INT68958		NET	895.42				895.42
11/21/06	*INT69392		NET	1,150.57				1,150.57
12/21/06	*INT69817		NET	1,394.19				1,394.19
1/21/07	*INT70241		NET	1,454.13				1,454.13
2/21/07	*INT70692		NET	1,709.67				1,709.67
3/21/07	*INT71078		NET	1,742.29				1,742.29
4/21/07	*INT71447		NET	1,954.47				1,954.47
5/21/07	*INT71794		NET	2,248.58				2,248.58
5/24/07	28048528500		PASTDUE	3,209.91				3,209.91
5/30/07	28048609800		PASTDUE	1,723.67				1,723.67
5/31/07	28048679100		PASTDUE	2,626.99				2,626.99
6/04/07	28048757400		PASTDUE	1,352.48				1,352.48
6/07/07	28048908900		PASTDUE	4,558.08				4,558.08
6/11/07	28048980900		PASTDUE	44.16				44.16
6/11/07	28048983800		PASTDUE	3,524.13				3,524.13
6/12/07	*SP280468804		PASTDUE	1,385.50				1,385.50
6/12/07	*SP280469551		PASTDUE	2,000.00				2,000.00
6/12/07	*SP280470551		PASTDUE	3,000.00				3,000.00
6/12/07	*SP280471308		PASTDUE	4,000.00				4,000.00
6/12/07	*SP280474010		PASTDUE	3,000.00				3,000.00
6/12/07	*SP280474792		PASTDUE	3,000.00				3,000.00
6/12/07	*UD280475835		PASTDUE	1,260.33				1,260.33
6/13/07	28049019600		PASTDUE	286.40				286.40



Benjamin Moore®
Paints

Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 3

MONTHLY ACTIVITY

Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by 5/10/08		
6/14/07	28049060400	STEVE SR.	PASTDUE	1,052.36				1,052.36
6/14/07	28049061600		PASTDUE	44.16				44.16
6/14/07	28049102200		PASTDUE	5,191.14				5,191.14
6/18/07	28049186100		PASTDUE	2,177.85				2,177.85
6/21/07	28049292400		PASTDUE	1,878.33				1,878.33
6/21/07	*INT72136		NET	2,102.37				2,102.37
6/26/07	28049362500		PASTDUE	4,626.64				4,626.64
6/26/07	28049369500		PASTDUE	3,024.00				3,024.00
6/26/07	28803421400		PASTDUE		438.52			438.52
6/26/07	183604		PASTDUE	208.33				208.33
6/26/07	183605	PASTDUE	208.33				208.33	
6/28/07	28049468500	103-073-508-802-	PASTDUE	200.00				200.00
6/28/07	28803423500		PASTDUE		1,385.50			1,385.50
6/30/07	28049495700		PASTDUE	4,503.95				4,503.95
7/02/07	28049562100		PASTDUE	3,702.84				3,702.84
7/03/07	28803421300		PASTDUE		57.25			57.25
7/06/07	28049642500		PASTDUE	1,804.88				1,804.88
7/10/07	28049735200		PASTDUE	2,086.37				2,086.37
7/10/07	28049735500		PASTDUE	69.36				69.36
7/12/07	28049854300		PASTDUE	2,866.29				2,866.29
7/16/07	28049922900		PASTDUE	7,168.45				7,168.45
7/17/07	28049967600	PASTDUE	770.16				770.16	
7/17/07	183908	PASTDUE	208.33				208.33	
7/17/07	183909	PASTDUE	208.33				208.33	
7/19/07	28050049500	PASTDUE	1,289.85				1,289.85	
7/20/07	28049971400	PASTDUE	429.60				429.60	
7/21/07	*INT72481	NET	736.08				736.08	
7/24/07	28050141300	PASTDUE	1,422.46				1,422.46	
7/26/07	28050258500	PASTDUE	3,534.47				3,534.47	
7/30/07	28050393400	PASTDUE	2,394.23				2,394.23	
7/30/07	28050393600	PASTDUE	46.00				46.00	
7/30/07	28050394100	PASTDUE	25.20				25.20	
8/02/07	28050513700	PASTDUE	1,879.76				1,879.76	
8/02/07	28050513900	PASTDUE	191.96				191.96	
8/07/07	28050584300	PASTDUE	3,306.13				3,306.13	
8/07/07	28050587200	STEVE	PASTDUE	18.32				18.32
8/09/07	28050706300		PASTDUE	2,784.22				2,784.22
8/15/07	28050810900		PASTDUE	4,968.41				4,968.41
8/16/07	28050886000		PASTDUE	1,120.07				1,120.07
8/20/07	28050944600		PASTDUE	1,811.78				1,811.78
8/21/07	184176		PASTDUE	208.33				208.33
8/21/07	184177		PASTDUE	208.33				208.33
8/21/07	*INT72861		NET	760.60				760.60
8/23/07	28051053100		PASTDUE	3,467.31				3,467.31
8/23/07	28803494500		PICKUP ASAP	PASTDUE		64.08		
8/27/07	28051085000	PASTDUE		365.16				365.16
8/27/07	28051132600	PASTDUE		2,870.40				2,870.40
8/30/07	28051244000	PASTDUE		3,309.69				3,309.69
9/04/07	28051284200	PASTDUE		1,235.37				1,235.37
9/06/07	28051345400	PASTDUE		128.88				128.88
9/06/07	28051393200	PASTDUE		1,823.35				1,823.35



Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 4

MONTHLY ACTIVITY								
Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by 5/10/08		
9/06/07	28051393300		PASTDUE	88.08				88.08
9/10/07	28051453800		PASTDUE	169.87				169.87
9/10/07	28051454100		PASTDUE	4,589.33				4,589.33
9/10/07	28051458100		PASTDUE	322.60				322.60
9/14/07	28051574500		PASTDUE	2,797.61				2,797.61
9/17/07	28051651900		PASTDUE	2,202.64				2,202.64
9/17/07	28051653600		PASTDUE	1,324.60				1,324.60
9/20/07	28051771300		PASTDUE	928.24				928.24
9/21/07	*INT73242		NET	1,179.28				1,179.28
9/24/07	28051841500		PASTDUE	3,971.33				3,971.33
9/27/07	28051957600		PASTDUE	1,448.01				1,448.01
9/27/07	28051958400		PASTDUE	150.00				150.00
9/27/07	28051958600		PASTDUE	2.48				2.48
9/28/07	28051958700		PASTDUE	250.60				250.60
9/28/07	187710		STC		1,248.00-			1,248.00-
10/01/07	28052032000		PASTDUE	2,121.61				2,121.61
10/01/07	28052040300		PASTDUE	48.92				48.92
10/04/07	28052154800		PASTDUE	1,700.85				1,700.85
10/04/07	28052160300		PASTDUE	1,293.53				1,293.53
10/08/07	28052216000		PASTDUE	3,068.47				3,068.47
10/09/07	28052255400	KEVIN	PASTDUE	1,225.10				1,225.10
10/09/07	28052260000		PASTDUE	788.83				788.83
10/11/07	28052336300		PASTDUE	1,236.45				1,236.45
10/11/07	28052336400		PASTDUE	574.99				574.99
10/15/07	28052411400		PASTDUE	2,615.88				2,615.88
10/18/07	28052531100		PASTDUE	2,386.04				2,386.04
10/21/07	*INT73620		NET	1,618.58				1,618.58
10/22/07	28052596700		PASTDUE	4,121.76				4,121.76
10/23/07	28052607600		PASTDUE	221.96				221.96
10/25/07	28052708800		PASTDUE	4,580.98				4,580.98
10/25/07	28052709200		PASTDUE	306.47				306.47
10/26/07	28803627700	PER JIM F	PASTDUE		359.62-			359.62-
10/30/07	28052786600		PASTDUE	7,512.30				7,512.30
11/01/07	28052901500		PASTDUE	952.79				952.79
11/01/07	28052902100		PASTDUE	24.12				24.12
11/01/07	28052902200		PASTDUE	75.00				75.00
11/02/07	28052929000	COLORX LICENSING	PASTDUE	100.00				100.00
11/05/07	28052985000		PASTDUE	1,129.10				1,129.10
11/05/07	28052990100		PASTDUE	13.76				13.76
11/08/07	28053084000		PASTDUE	3,121.80				3,121.80
11/08/07	28053084100		PASTDUE	306.47				306.47
11/12/07	28053156800		PASTDUE	4,852.94				4,852.94
11/12/07	28803641400		PASTDUE		54.98-			54.98-
11/12/07	28803641500		PASTDUE		484.30-			484.30-
11/13/07	28053142400		PASTDUE	293.56				293.56
11/15/07	28053206200		PASTDUE	114.56				114.56
11/15/07	28053254900		PASTDUE	3,563.32				3,563.32
11/15/07	28053255100		PASTDUE	34.67				34.67
11/16/07	28053270800	FLUID MANAGEMENT	PASTDUE	1,300.13				1,300.13
11/19/07	28053330400		PASTDUE	4,551.17				4,551.17
11/20/07	28053341500		PASTDUE	1,978.24				1,978.24



Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 5

MONTHLY ACTIVITY								
Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by	5/10/08	
11/21/07	28053384200		PASTDUE	2,015.88				2,015.88
11/21/07	28053384300		PASTDUE	306.47				306.47
11/21/07	28053384400		PASTDUE	625.00				625.00
11/21/07	*INT74383		NET	2,031.11				2,031.11
11/26/07	28053445900		PASTDUE	2,932.26				2,932.26
11/29/07	28053538800		PASTDUE	6,122.21				6,122.21
12/21/07	*INT75133		NET	2,327.18				2,327.18
1/21/08	*INT75556		NET	2,785.24				2,785.24
2/21/08	*INT76046		NET	3,382.16				3,382.16
3/04/08	28054742500		NET	822.93				822.93
3/04/08	28055474300		NET	5,328.81				5,328.81
3/06/08	28055533300		NET	5,246.92				5,246.92
3/07/08	28803846800	2 OZ COLOR SAMPL	NET	107.40	107.40			107.40
3/07/08	28803846801	2 OZ COLOR SAMPL	NET	429.60				429.60
3/11/08	28055463300		PASTDUE	73.40				73.40
3/11/08	28055606000		NET	3,150.08				3,150.08
3/11/08	28055608700	STEVE	NET	91.59				91.59
3/21/08	194499		STC		1,161.15			1,161.15
3/21/08	*INT76496		NET	3,197.79				3,197.79
4/02/08	198067		NET	112.50				112.50
4/02/08	198068		NET	112.50				112.50
4/21/08	*INT76843		NET	3,302.63				3,302.63
		CUSTOMER #694921	STORE 01 TOTAL	303,136.28	5,360.80			297,775.48
8/21/05	*INT63247		NET	1,541.45				1,541.45
9/15/05	28033376200		PASTDUE	1,254.98				1,254.98
9/15/05	28033378900		PASTDUE	89.54				89.54
9/16/05	28033388400		PASTDUE	400.96				400.96
9/21/05	*INT63615		NET	1,813.91				1,813.91
11/15/05	28034841800		PASTDUE	608.60				608.60
11/15/05	28034840300		PASTDUE	4,138.57				4,138.57
11/15/05	28034840500	STEVE	PASTDUE	24.84				24.84
11/17/05	28034882600		PASTDUE	2,245.79				2,245.79
11/17/05	28034924300		PASTDUE	847.75				847.75
11/21/05	28034924500		PASTDUE	500.00				500.00
11/21/05	28034974800		PASTDUE	3,783.34				3,783.34
11/21/05	28034977100		PASTDUE	95.70				95.70
11/21/05	*INT64404		NET	2,635.18				2,635.18
11/25/05	28035026600		PASTDUE	2,511.53				2,511.53
11/28/05	28035061100		PASTDUE	2,806.15				2,806.15
11/28/05	28035061600		PASTDUE	16.74				16.74
11/28/05	28035061700		PASTDUE	43.33				43.33
11/28/05	28035065300		PASTDUE	142.21				142.21
11/28/05	28035067000		PASTDUE	357.79				357.79
11/29/05	28035098100		PASTDUE	30.03				30.03
11/29/05	28035099200		PASTDUE	870.50				870.50
12/01/05	28035156400		PASTDUE	272.78				272.78
12/01/05	28035167900		PASTDUE	4,542.93				4,542.93
12/05/05	28035223400		PASTDUE	1,848.38				1,848.38
12/08/05	28035230900		PASTDUE	4,455.09				4,455.09



Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 6

MONTHLY ACTIVITY								
Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by	5/10/08	
12/08/05	28035291100	KERRIE	PASTDUE	113.52				113.52
12/08/05	28035288400		PASTDUE	290.47				290.47
12/08/05	28035291500		PASTDUE	180.60				180.60
12/12/05	28035359700		PASTDUE	4,608.90				4,608.90
12/15/05	28035433200		PASTDUE	1,517.82				1,517.82
12/16/05	28035439500		PASTDUE	1,157.72				1,157.72
12/19/05	28035474200		PASTDUE	1,304.12				1,304.12
12/20/05	28035477100		PASTDUE	636.01				636.01
12/21/05	*INT64820		NET	857.37				857.37
12/27/05	28035570300		PASTDUE	2,465.77				2,465.77
12/28/05	28035570600		PASTDUE	393.80				393.80
6/21/06	*INT67306		NET	1,063.71				1,063.71
7/21/06	*INT67728		NET	1,031.51				1,031.51
8/21/06	*INT68158		NET	1,061.74				1,061.74
9/21/06	*INT68567		NET	1,447.31				1,447.31
10/21/06	*INT68959		NET	1,029.44				1,029.44
11/21/06	*INT69383		NET	1,143.70				1,143.70
12/21/06	*INT69818		NET	1,326.86				1,326.86
1/21/07	*INT70242		NET	1,320.57				1,320.57
2/21/07	*INT70693		NET	1,563.56				1,563.56
3/21/07	*INT71079		NET	1,551.98				1,551.98
4/21/07	*INT71448		NET	1,993.60				1,993.60
5/21/07	*INT71795		NET	2,338.91				2,338.91
5/22/07	28048399500		PASTDUE	2,302.36				2,302.36
5/22/07	28048411500		PASTDUE	153.29				153.29
5/22/07	28048411600		PASTDUE	83.95				83.95
5/22/07	28048414200		PASTDUE	624.43				624.43
5/24/07	28048524600		PASTDUE	3,855.11				3,855.11
5/30/07	28048615300		PASTDUE	214.80				214.80
5/30/07	28048610500		PASTDUE	1,222.73				1,222.73
5/31/07	28048677000		PASTDUE	2,277.74				2,277.74
6/04/07	28048755300		PASTDUE	5,358.52				5,358.52
6/06/07	28803393400	PER JIM F	PASTDUE		288.28-			288.28-
6/07/07	28048907900		PASTDUE	3,925.31				3,925.31
6/11/07	28048980500		PASTDUE	3,229.56				3,229.56
6/12/07	*SP280469485		PASTDUE	4,000.00				4,000.00
6/12/07	*SP280470553		PASTDUE	4,000.00				4,000.00
6/12/07	*SP280471296		PASTDUE	2,000.00				2,000.00
6/12/07	*SP280472440		PASTDUE	5,000.00				5,000.00
6/14/07	28049086700		PASTDUE	3,062.61				3,062.61
6/14/07	28049088900		PASTDUE	1,350.09				1,350.09
6/18/07	28049176800		PASTDUE	1,262.21				1,262.21
6/20/07	28049201400		PASTDUE	207.64				207.64
6/21/07	28049292000		PASTDUE	4,783.40				4,783.40
6/21/07	*INT72137		NET	2,179.89				2,179.89
6/26/07	28049371000		PASTDUE	1,712.94				1,712.94
6/28/07	28049468600		PASTDUE	200.00				200.00
6/28/07	28049481600		PASTDUE	5,681.27				5,681.27
7/03/07	28049564900		PASTDUE	3,814.42				3,814.42
7/05/07	28049639100		PASTDUE	27.82				27.82
7/06/07	28049632600		PASTDUE	1,701.43				1,701.43



Benjamin Moore®
Paints

Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 7

MONTHLY ACTIVITY

Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by 5/10/08		
7/10/07	28049732700	CARRIE	PASTDUE	1,633.65				1,633.65
7/10/07	28049733200		PASTDUE	73.40				73.40
7/12/07	28049855400		PASTDUE	3,716.07				3,716.07
7/16/07	28049823000		PASTDUE	221.96				221.96
7/16/07	28049935400		PASTDUE	7,320.14				7,320.14
7/21/07	*INT72482		NET	698.24				698.24
7/23/07	28050109800		PASTDUE	1,450.56				1,450.56
7/23/07	28050137100		PASTDUE	2,306.64				2,306.64
7/26/07	28050255200		PASTDUE	1,306.91				1,306.91
7/30/07	28050389800		PASTDUE	2,628.69				2,628.69
8/02/07	28050482100	STEVE	PASTDUE	422.44				422.44
8/02/07	28050510200		PASTDUE	2,372.72				2,372.72
8/07/07	28050575200		PASTDUE	2,465.34				2,465.34
8/09/07	28050697100		PASTDUE	4,405.44				4,405.44
8/13/07	28050771300		PASTDUE	2,965.70				2,965.70
8/15/07	28050785800		PASTDUE	221.96				221.96
8/15/07	28050771800		PASTDUE	300.00				300.00
8/15/07	28050813700		PASTDUE	646.92				646.92
8/15/07	28050814100		PASTDUE	147.19				147.19
8/16/07	28050877900		PASTDUE	2,473.68				2,473.68
8/20/07	28050952000	PASTDUE	1,498.35				1,498.35	
8/21/07	*INT72862	NET	722.78				722.78	
8/23/07	28051056200	PASTDUE	3,269.53				3,269.53	
8/27/07	28051127800	PASTDUE	2,232.40				2,232.40	
8/30/07	28051244400	PASTDUE	3,603.69				3,603.69	
8/30/07	28051245700	PASTDUE	1,075.34				1,075.34	
9/04/07	28051286200	PASTDUE	3,345.79				3,345.79	
9/05/07	28051329700	PASTDUE	300.72				300.72	
9/06/07	28051386200	PASTDUE	3,095.64				3,095.64	
9/10/07	28051460800	PASTDUE	3,222.97				3,222.97	
9/14/07	28051569100	PASTDUE	3,843.48				3,843.48	
9/17/07	28051652100	PASTDUE	3,939.03				3,939.03	
9/20/07	28051704300	PASTDUE	207.64				207.64	
9/20/07	28051769700	PASTDUE	2,628.09				2,628.09	
9/21/07	28051776900	PASTDUE	3,280.32				3,280.32	
9/21/07	*INT73243	NET	1,239.73				1,239.73	
9/24/07	28051840700	PASTDUE	1,969.05				1,969.05	
9/27/07	28051955300	PASTDUE	9,079.42				9,079.42	
10/01/07	28052038200	PASTDUE	1,357.62				1,357.62	
10/04/07	28052155400	PASTDUE	2,460.80				2,460.80	
10/08/07	28052223900	PASTDUE	2,545.13				2,545.13	
10/08/07	28052225100	PASTDUE	142.00				142.00	
10/11/07	28052272300	PASTDUE	257.76				257.76	
10/11/07	28052331800	PASTDUE	4,668.68				4,668.68	
10/11/07	28052332300	PASTDUE	300.00				300.00	
10/11/07	28052342800	PASTDUE	197.66				197.66	
10/15/07	28052412000	PASTDUE	3,322.82				3,322.82	
10/18/07	28052523200	PASTDUE	1,361.07				1,361.07	
10/18/07	28052535700	PASTDUE	167.42				167.42	
10/21/07	*INT73621	NET	1,586.33				1,586.33	
10/22/07	28052591100	PASTDUE	5,531.84				5,531.84	



Statement Date	Customer Number
4/21/08	694921
Credit Manager	GEORGE SCHULTZ
Sales Representative	FOX/BECK
For questions about this statement, please contact your credit manager or cash applications department at (800) 344-0400	
	Page 8

MONTHLY ACTIVITY								
Date	Number	Customer P.O. #	Comment	Charges	Credits	Anticipated	Cash	Net Amount
						If Paid by	5/10/08	
10/25/07	29052708200	PER JIM F	PASTDUE	2,344.52	711.10-			2,344.52
10/25/07	29052710300		PASTDUE	84.04				84.04
10/26/07	29803627900		PASTDUE					711.10-
10/30/07	29052788100		PASTDUE	212.73				212.73
10/30/07	29052790200		PASTDUE	8,287.28				8,287.28
11/01/07	29052893700		PASTDUE	1,128.11				1,128.11
11/06/07	29052990200		PASTDUE	3,234.23				3,234.23
11/08/07	29053085200		PASTDUE	4,284.81				4,284.81
11/08/07	29053096700		PASTDUE	27.45				27.45
11/12/07	29053157700		PASTDUE	5,013.34				5,013.34
11/12/07	29053159100	11-14-07	PASTDUE	82.39				82.39
11/15/07	29052965000		PASTDUE	322.20				322.20
11/15/07	29053205000		PASTDUE	322.20				322.20
11/15/07	29053260300		PASTDUE	1,483.72				1,483.72
11/16/07	29053270600		PASTDUE	1,237.63				1,237.63
11/19/07	29053327400		PASTDUE	5,045.19				5,045.19
11/19/07	29053328800		PASTDUE	856.80				856.80
11/21/07	*INT74384		NET	2,026.17				2,026.17
11/26/07	29053349700		PASTDUE	616.34				616.34
11/26/07	29053446300		PASTDUE	2,313.00				2,313.00
11/29/07	29053486800	FLUID MANAGEMENT	PASTDUE	214.80				214.80
11/29/07	29053540500		PASTDUE	5,684.62				5,684.62
12/10/07	29053772300		PASTDUE	.50				.50
12/21/07	*INT75134		NET	2,471.04				2,471.04
1/21/08	*INT75557		NET	2,991.00				2,991.00
2/21/08	*INT76047		NET	3,565.04				3,565.04
2/25/08	29055309000		NET	1,732.68				1,732.68
3/06/08	29055531600		NET	7,902.25				7,902.25
3/11/08	29055607500		NET	3,563.33				3,563.33
3/11/08	29055610600		NET	63.36				63.36
3/11/08	29055611100	CUSTOMER #695121	NET	164.78				164.78
3/12/08	29055615400		KST	143.20				143.20
3/21/08	*INT76497		NET	3,431.36				3,431.36
4/21/08	*INT76844		NET	3,659.68				3,659.68
			STORE 02 TOTAL	317,249.12	999.38-			316,249.74
			STATEMENT TOTALS	620,385.40	6,360.18-			614,025.22
			TOTAL DUE IF PAID BY 5/10/08					614,025.22
			TOTAL DUE PAID AFTER 5/10/08					614,025.22